

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

FOREMAN ELECTRIC SERVICES, INC.	§	
Plaintiff,	§	
v.	§	Case No. 17:19-cv-80
	§	
HALIRON POWER, LLC	§	
Defendant.	§	

DEFENDANT’S NOTICE OF REMOVAL

Defendant, Haliron Power, LLC (hereinafter “Haliron”), pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, hereby removes this action from the District Court of Ector County, Texas, to the United States District Court for the Western District of Texas, Midland/Odessa Division. In support of removal, Haliron states:

1. On February 20, 2019, Plaintiff, Foreman Electric Services, Inc. (hereinafter “Foreman”), filed his original petition in the County Court at Law 1 of Ector County, Texas, where it was assigned case number CC-19-0079-CV.

2. Foreman served Haliron with the original petition and citation on March 25, 2019.

3. This notice of removal is timely filed. 28 U.S.C. § 1446(b).

4. The basis for jurisdiction in this Court is complete diversity of citizenship under 28 U.S.C. § 1332(a). Foreman alleges it is a corporation under the laws of Puerto Rico. *Orig. Pet. ¶ 1*. Foreman alleges and Haliron avers that it is a foreign limited liability company organized and existing under the laws of the State of Arkansas. *Orig. Pet. ¶ 2*.

5. The amount in controversy exceeds \$75,000, exclusive of interest and costs. 28 U.S.C. § 1332(a). Plaintiff’s Original Petition asserts a cause of action suit on sworn account; for breach of contract; and quantum meruit/unjust enrichment. Foreman seeks judgment of and from Haliron for \$7,979,670.16 and attorney fees. Haliron believes in light of the nature of

Foreman's claims and the amount of money associated with that claim, the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

6. Under 28 U.S.C. § 1446(a), copies of all process, pleadings, and orders served upon Haliron are attached to this notice as Exhibit A.

7. Venue is proper in this district under 28 U.S.C. § 1441(a) because the state court where the suit has been pending is located in this district.

8. Haliron will promptly serve written notice of the filing of this notice of removal upon counsel for Plaintiff and will file a copy of this notice with the District Court of Ector County, Texas, as required by 28 U.S.C. § 1446(d).

9. Plaintiff did not request a jury in the state court suit.

FOR THESE REASONS, Defendant, Haliron Power, LLC, hereby removes this action to this Court for further proceedings according to law.

Respectfully submitted,

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By: /s/ Dick R. Holland
Dick R. Holland

-and-

Application for Admission to Process

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Attorneys for Defendant

CERTIFICATE OF SERVICE

I certify that a true copy of the above has been served on this the 25th day of March 2019,
to counsel of record as follows:

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Via eFileTexas.gov & CM/ECF

By: /s/ Dick R. Holland
Dick R. Holland

Attorneys for Defendant